THE HON'BLE SRI JUSTICE P.S. NARAYANA

W.P.No.13868 of 2006

Dated 10th JULY 2006

Between:

Uttam Kirana Stores, Proprietary concern
Rep. By Sri Uttam Chand S/o late Shankarlal
44 years, Carrying on business in
Mulgi No.16-10-27/105/3
Malakpet, Hyderabad

… Petitioner

And:
The Municipal Corporation of Hyderabad
Rep. By the Commissioner, Tank Bund road
Hyderabad and another

… Respondents

THE HON'BLE SRI JUSTICE P.S. NARAYANA

W.P.No.13868 of 2006

ORDER:

Heard both the counsel.

2. Notice before admission was issued on 7.7.2006. In W.P.M.P.No.17275 of 2006 *status quo* obtaining as on the said date to be maintained up to 12.7.2006 had been ordered.

3. Learned standing counsel for the 1st respondent-Corporation had placed before this court the area, which is proposed to be demolished showing specifically the portions. Learned standing counsel also had stated before this court that except those portions specified in the plan, no other portion would be touched. The same is hereby recorded.

4. The writ petition is no doubt filed to issue an appropriate writ or order or direction one in the nature of writ of mandamus directing the 1st respondent to issue notice in writing to the petitioner before taking up any demolition work for road widening purposes in respect of mulgi No.16-10-27/105/3, situated at Malakpet, Hyderabad and consequently direct the corporation to demolish only the affected portion as per the plan and not to disturb the remaining unaffected portion of the mulgi No.16-10-27/105/3, situated at Malakpet, Hyderabad.

5. In the light of the plan submitted before this court and also submissions made by the learned counsel, the same is hereby recorded and it is made clear that except the portion shown in the plan no other portion would be touched.

4. Accordingly, the writ petition is disposed of. No order as to costs.

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P.S. NARAYANA, J

Dated: 10th JULY 2006

BSS